

**TOWN OF PLEASANT VALLEY
LOCAL LAW 1 OF 2024**

**A LOCAL LAW AMENDING CHAPTER 48 OF THE TOWN CODE TO ESTABLISH
ALTERNATE MEMBERS AND SPECIFY TERMS AND ATTENDANCE
REQUIREMENTS FOR THE FIRE AND LIFE SAFETY REVIEW BOARD**

BE IT ENACTED by the Town Board of the Town of Pleasant Valley as follows:

SECTION 1. TITLE.

This Local Law shall be entitled “A Local Law Amending Chapter 48 of the Town Code to Establish Alternate Members and Specify Attendance Requirements for the Fire and Life Safety Review Board”.

SECTION 2. PURPOSE AND INTENT.

- A. The Town Board determines that it would be appropriate for the Fire and Life Safety Review Board (formerly called the Fire Prevention Advisory Board) to have alternate members to serve in place of regular members when such regular members are absent or unable to vote on a matter.
- B. The Town Board also determines that the Fire and Life Safety Review Board should be subject to attendance requirements to ensure efficient board function.

SECTION 3. AUTHORITY.

This law is enacted pursuant to Section 10 of the Municipal Home Rule Law.

SECTION 4. AMENDMENTS TO THE CODE.

- A. Chapter 48, Section 48-11, “Fire Prevention Advisory Board”, is hereby repealed and replaced as follows:

§ 48-11 Fire and Life Safety Review Board.

- A. The Town shall have a Fire and Life Safety Review Board, previously established as the Fire Prevention Advisory Board.
- B. Said Board shall meet on a monthly basis or as needed as determined by the Chairman of the Fire and Life Safety Review Board.
- C. Membership.
 - (1) Said Board shall consist of seven members. There shall be two standing members, the Fire Inspector and the District Fire Chief. There shall also be three appointments by

the Town Board. The final two members shall be recommended by the Board of Fire Commissioners, one member of each of the two fire companies in the Town, and approved by the Town Board.

- (2) The Town Board shall appoint the Chairperson.
- (3) All appointments, except the standing members, shall be at the pleasure of the Town Board. The three members selected by the Town Board shall be appointed for three-year terms with one term ending each year. The Town Board may remove members with or without cause at any time.
- (4) The Town Board shall appoint a Recording Secretary.
- (5) The Board shall adopt rules and procedures for its meetings. It shall keep accurate records of its meetings and activities and shall file an annual report with the Town Board.
- (6) No member of the Fire and Life Safety Review Board may miss three regularly scheduled meetings of the Board during a calendar year, other than for a medical or other emergency or for any other just cause approved, in advance, by the Chair. It is expected that Board members be on time and call the Chair or Secretary if they cannot attend a meeting.
- (7) Alternate Members.

- (a) Definitions. As used in this section, the following terms shall have the meanings indicated:

ALTERNATE MEMBER — An individual appointed by the Town Board available for service when a regular member of the Fire and Life Safety Review Board must be absent or is unable to participate on an application or matter before the Board due to a conflict of interest or otherwise, as provided herein.

- (b) Number and term of alternate members. The Town Board shall appoint, by resolution, two alternate members to the Fire and Life Safety Review Board for terms of up to two years.
- (c) Designation of an alternate member.

[1] The Chairperson of the Fire and Life Safety Review Board shall designate an alternate member to substitute for a member when such member is absent or is unable to participate on an application or matter before the Board. If there are two alternate members, they shall be designated for service on a rotating basis. When so designated, the alternate member shall possess all of the powers and responsibilities of

such member of the Board. Such designation shall be entered into the minutes of the first meeting of the Fire and Life Safety Review Board at which the substitution is made.

[2] Provided that all other requirements of this section are satisfied, the designation of an alternate member to serve as a member may be made for a particular meeting or meetings, or for a specified period of time, but no event beyond the duration of the alternate member's appointment as an alternate member. The designation to substitute shall take place only when a regular Board member in whose place the alternate member shall act is absent or otherwise unable to serve as specified herein.

[3] Upon the return of an absent regular member or the resumption of the regular member's ability to serve, the alternate member shall automatically resume his/her status as an alternate member and shall no longer be allowed to vote on Board affairs. The alternate member shall remain eligible to substitute in the future for the same or other regular members, subject to the same requirements of eligibility set forth herein, including redesignation as an acting member of the Board.

[4] When an alternate member is not designated to serve as a member at a particular meeting, the alternate member may sit with the Board and may take part in discussion so that the alternate will be prepared if called upon to vote on an application at a future meeting.

(d) Duties and responsibilities of alternate members. All provisions of law relating to the Fire and Life Safety Review Board member eligibility, vacancy in office, removal, compatibility of office and service on other boards, as well as any provisions of a local law/local ordinance relating to training, continuing education and attendance, shall also apply to alternate members.

SECTION 5. SUPERSESSON.

It is the intent of the Town Board to supersede any provisions of the New York State Law to the extent that they may be inconsistent with the provisions of this local law, pursuant to the Town's supersession authority under Municipal Home Rule Law § 10.

SECTION 6. SEVERABILITY.

If any provision of this local law is held invalid for any reason by a court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this local law.

SECTION 7. EFFECTIVE DATE.

This Local Law shall become effective immediately upon its filing in the Office of the New York State Department of State.

